

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on March 8, 2011 at 8:00 AM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Chuck Hunter, Vice Chairman (D)
Rep. Carlie Boland (D)
Rep. Christy Clark (R)
Rep. Virginia Court (D)
Rep. Lila Walter Evans (R)
Rep. Timothy Furey (D)
Rep. Edward Greef (R)
Rep. Harry Klock (R)
Rep. Scott Reichner (R)
Rep. Matthew M. Rosendale Sr (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Cary Smith (R)
Rep. Carolyn Squires (D)
Rep. Gordon Vance (R)
Rep. Jeffery W. Welborn (R)

Members Excused: Rep. Tom Berry, Vice Chairman (R)
Rep. Jonathan McNiven (R)
Rep. Pat Noonan (D)
Rep. Michele Reinhart (D)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Sandra Sullivan, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 168, 3/3/2011; SB 242, 3/3/2011; SB 256, 3/3/2011; SB 289, 3/3/2011

Executive Action Taken: SB 32, SB 64, SB 165, SB 203, SB 242, SB 256, SB 289, HB 458

HEARING ON SB 289

Opening Statement by Sponsor:

00:02:41 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 289, Increasing amount of liquor a microdistillery may sell a retail customer.

Proponents' Testimony:

00:05:12 Rep. Noonan arrived.

00:06:32 John McKee, Headframe Spirits

[**EXHIBIT\(buh52a01\)**](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:24 Chairwoman Arntzen

00:08:37 Sen. Zinke

00:09:29 Mr. McKee

Closing by Sponsor:

00:10:16 Sen. Zinke

HEARING ON SB 168

Opening Statement by Sponsor:

00:11:05 Sen. Kendall Van Dyk (D), SD 25, opened the hearing on SB 168, Eliminate certain committees and councils in Deptment Of Commerce.

Proponents' Testimony:

00:15:34 Evan Barrett, Chief Business Officer, Office of Economic Development, Office of the Governor (GOV)

[**EXHIBIT\(buh52a02\)**](#)

00:22:35 Rep. Smith left.

00:22:44 Marty Tuttle, Chief Legal Council, Department of Commerce (COM)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:26:33 Rep. Rosendale
00:27:29 Sen. Van Dyk
00:28:28 Mr. Tuttle, COM
00:29:10 Rep. Furey left.
00:30:20 Chairwoman Arntzen
00:30:37 Mr. Tuttle
00:31:51 Rep. Furey returned.
00:32:12 Chairwoman Arntzen
00:32:36 Mr. Tuttle
00:32:58 Mr. Barrett, GOV
00:34:31 Mr. Campbell
00:35:12 Mr. Tuttle
00:36:35 Rep. Squires
00:37:02 Mr. Tuttle
00:37:53 Rep. Squires
00:38:02 Mr. Tuttle
00:38:20 Mr. Barrett
00:40:18 Rep. Squires
00:40:40 Mr. Barrett
00:41:34 Rep. Squires
00:42:03 Mr. Barrett
00:42:37 Rep. Squires
00:42:44 Mr. Barrett
00:42:51 Rep. Squires
00:43:28 Rep. Reinhart arrived.

Closing by Sponsor:

00:43:47 Sen. Van Dyk

00:48:03 Chairwoman Arntzen
00:48:33 Sen. Van Dyk
00:48:24 Chairwoman Arntzen
00:48:31 Sen. Van Dyk
00:48:54 Rep. Furey

HEARING ON SB 242**Opening Statement by Sponsor:**

00:49:17 Sen. John Brenden (R), SD 18, opened the hearing on SB 242, Revising workers' compensation law on agricultural workers.

Proponents' Testimony:

00:52:50 Carol Lambert, Women Involved in Farm Economics (WIFE)
00:53:38 Kevin Braun, Montana State Fund

Opponents' Testimony: None

Informational Testimony:

00:54:40 Jerry Keck, Administrator, Employment Relations Division, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:55:31 Sen. Brenden

00:56:18 Chairwoman Arntzen

00:56:22 Sen. Brenden

00:56:37 Rep. Welborn

00:56:53 Recessed

01:10:45 Resumed

01:11:00 Rep. Smith returned, Vice Chairman Hunter, Rep. Noonan and Rep. Reichner did not return and Vice Chair Berry arrived.

HEARING ON SB 256

Opening Statement by Sponsor:

01:11:19 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 256, Revise laws relating to real estate brokers.

Proponents' Testimony:

01:13:14 Jaymie Bowditch, General Council, Montana Association Realtors (MAR)

[**EXHIBIT\(buh52a03\)**](#)

01:14:01 Rep. McNiven arrived.

01:18:12 Glen Oppel, MAR

[**EXHIBIT\(buh52a04\)**](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:18:58 Rep. Berry

01:19:32 Mr. Bowditch, MAR

Closing by Sponsor:

01:20:02 Sen. Gillan

01:20:20 Chairwoman Arntzen

01:20:25 Sen. Gillan

EXECUTIVE ACTION ON HB 458

01:21:11 **Motion:** Rep. Berry moved that **HB 458 BE CONCURRED IN.**

Discussion:

01:21:59 Rep. Welborn
01:22:54 Rep. Furey
01:23:27 Chairwoman Arntzen
01:23:39 Rep. Furey
01:23:47 Rep. Squires
01:24:00 Rep. Welborn
01:24:15 Rep. Reinhart
01:24:27 Rep. Welborn
01:24:31 Rep. Reinhart
01:25:12 Rep. Welborn
01:25:23 Mr. Campbell
01:26:16 Rep. Court
01:26:35 Rep. Welborn
01:26:43 Rep. Court
01:26:55 Mr. Campbell
01:28:13 Rep. Welborn
01:29:02 Rep. Court
01:29:09 Vice Chairman Berry
01:29:17 Rep. Clark
01:30:24 Rep. Boland
01:30:25 Chairwoman Arntzen
01:30:58 Rep. Court
01:31:16 Rep. Welborn
01:32:01 Chairwoman Arntzen
01:32:16 Rep. Welborn

01:32:32 Rep. Berry withdrew his motion.

EXECUTIVE ACTION ON SB 32

01:33:29 Rep. Reinhart

01:34:27 **Motion:** Rep. Berry moved that **SB 32 BE CONCURRED IN.**

Discussion:

01:34:35 Rep. Vance

01:34:47 **Vote:** Motion carried unanimously by voice vote. Rep. Hunter, Rep. Noonan and Rep. Reichner voted by proxy. Rep. Reinhart will carry the bill.

EXECUTIVE ACTION ON SB 64

01:35:46 **Motion:** Rep. Berry moved that **SB 64 BE CONCURRED IN.**

Discussion:

01:36:08 Rep. Rosendale
01:36:37 Chairwoman Arntzen
01:36:57 Rep. Squires
01:37:04 Rep. Reichner returned.
01:37:43 Mr. Campbell
01:38:29 Rep. Squires
01:38:54 Mr. Campbell
01:39:25 Rep. Reinhart
01:39:38 Mr. Campbell
01:39:53 Rep. Reinhart
01:40:44 Chairwoman Arntzen
01:40:57 Rep. Reichner
01:41:02 Rep. Squires

01:41:31 **Vote:** Motion carried 15-6 by roll call vote with Rep. Clark, Rep. McNiven, Rep. Rosendale, Rep. Small, Rep. Smith and Rep. Vance voting no. Rep. Hunter and Rep. Noonan voted by proxy. Rep. Reichner will carry the bill.

EXECUTIVE ACTION ON SB 165

01:44:07 **Motion/Vote:** Rep. Berry moved that **SB 165 BE CONCURRED IN.** Motion carried 19-2 by voice vote with Rep. Boland and Rep. Hunter voting no. Rep. Hunter and Rep. Noonan voted by proxy. Rep. Smith will carry the bill.

01:45:39 Rep. Smith
01:45:59 Rep. Court
01:46:02 Chairwoman Arntzen
01:46:13 Rep. Vance
01:46:20 Rep. Court
01:46:50 Chairwomen Arntzen

EXECUTIVE ACTION ON SB 203

01:47:03 **Motion/Vote:** Rep. Berry moved that **SB 203 BE CONCURRED IN.** Motion carried 18-3 by roll call vote with Rep. McNiven, Rep. Reichner and Rep. Smith voting no. Rep. Hunter and Rep. Noonan voted by proxy. Rep. Ankney will carry the bill.

01:48:47 Rep. Furey
01:49:26 Rep. Reinhart

EXECUTIVE ACTION ON SB 242

01:49:45 **Motion/Vote:** Rep. Berry moved that **SB 242 BE CONCURRED IN**. Motion carried 19-2 by voice vote with Rep. Boland and Rep. Hunter voting no. Rep. Hunter and Rep. Noonan voted by proxy. Rep. Welborn will carry the bill.

EXECUTIVE ACTION ON SB 256

01:50:57 **Motion/Vote:** Rep. Berry moved that **SB 256 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Hunter and Rep. Noonan voted by proxy. Rep. Rosendale will carry the bill.

EXECUTIVE ACTION ON SB 289

01:51:59 **Motion/Vote:** Rep. Berry moved that **SB 289 BE CONCURRED IN**. Motion carried 17-4 by roll call vote with Rep. McNiven, Rep. Reichner, Rep. Small and Rep. Smith voting no. Rep. Hunter and Rep. Noonan voted by proxy. Rep. Hunter will carry the bill.

ADJOURNMENT

9:55:00 Adjournment

Sandra Sullivan, Secretary

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Additional Documents:

EXHIBIT([buh52aad.pdf](#))